PTO/SB/21 (09-04) Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. Application Number 09//954 464 Filing Date TRANSMITTAL September 14, 2001 First Named Inventor **FORM** Kenneth F. Gay Art Unit 3634 **Examiner Name** Khoa H. Tran (to be used for all correspondence after initial filing) Attorney Docket Number GAY 2-009-3 Total Number of Pages in This Submission **ENCLOSURES** (Check all that apply) After Allowance Communication to TC Fee Transmittal Form Drawing(s) Appeal Communication to Board Licensing-related Papers Fee Attached of Appeals and Interferences Appeal Communication to TC 1 Petition (Appeal Notice, Brief, Reply Brief) Amendment/Reply Petition to Convert to a Proprietary Information After Final Provisional Application Power of Attorney, Revocation Status Letter Change of Correspondence Address Affidavits/declaration(s) Other Enclosure(s) (please Identify Terminal Disclaimer **Extension of Time Request** below): Request for Refund **Express Abandonment Request** CD, Number of CD(s)_ Information Disclosure Statement Landscape Table on CD Certified Copy of Priority Remarks Document(s) Reply to Missing Parts/ Incomplete Application Reply to Missing Parts under 37 CFR 1.52 or 1.53 SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT Firm Name Mueller and Smith, LPA

CERTIFICATE OF TRANSMISSION/MAILING I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below: Signature July 5, 2005 Jane Keeney Typed or printed name

Reg. No.

22.009

Signature Printed name

Date

Gerald L. Smith

July 5, 2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Appln. No. 09/954,464 Amendment dated July 5, 2005 Reply to Office Action of April 4, 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In se Application of

: Kenneth F. Gay, et al.

Serial No

: 09/954,464

Filed

: September 14, 2001

For

: Open Frame Shelf Assembly

TC/AU

: 3634

Examiner

: Khoa H. Tran

Attorney Docket No.

: GAY 2-009-3

HONORABLE COMMISSIONER FOR PATENTS MAIL STOP AMENDMENT P.O. BOX 1450 ALEXANDRIA, VA 22313-1450

RESPONSE and AMENDMENT

Sir:

Please amend the above-identified application as follows:

Amendments to the Specification (none submitted)

Amendments to the Claims are reflected in the listing of claims that begins on page 2 of this paper.

Amendments to the Drawings (none submitted)

Remarks/Arguments begin on page 19 of this paper.